IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO.664 OF 2005.

Smt.Meena Suresh Nandi : Appellant.

versus

The Municipal Corporation of

Greater Bombay : Respondents.

Mr.J.S.Kini for the appellant.

Mr.J.J.Xavier for the respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 09th September 2005.

ORAL ORDER

1. Heard the advocates for the appellant and respondent/BMC. I had earlier heard this matter. Now the appellant's advocate has taken instructions from his client and he is ready to apply to the BMC for regularisation of the structure. This is on the basis of the findings and observations of the Court that the

Corporation is not disputing that the plaintiff/appellant is in possession of 350 sq.ft land. In view of this the plaintiff/appellant to apply to the corporation i.e. the Executive Engineer, Building Proposal, Western Suburbs within four weeks from today for regularisation. That application will be in the prescribed form with report of two architects whatever that is required. The corporation will give its decision upon such application within four weeks thereafter. Till then the structure not to be demolished. If the plaintiff/appellant does not apply within the aforesaid period, the stay order granted will stand vacated automatically. Status quo to continue for two weeks after the order of the corporation upon such application. Appeal is disposed of accordingly.

[D.G.DESHPANDE,J]